# WARMOTH AND CARTER

### The Congressional Committee Commencing the Inquisition.

THE HISTORY OF THE QUARREL.

Tricks and Intrigues, Traps and Plots for the Possession of Power.

THE BEGINNING OF A BROAD EXPOSE.

Hob Force in Aid of Justice-The Military in Aid of Usurpation.

NEW ORLEANS, Jan. 31, 1872. Committee to investigate the politihas troubles a this State have been in session for ee days, and have, se far, examined eight witses. The sessions are held in the rooms of the sed States Circuit Court, which are a part of what is called the Custom House Building. The ceedings are conducted publicly, and there is crally an attendance of about fifty persons, epresenting all the factions in the quarrel. The committee meet at ten A. M. and sit for six hours without intermission. The members of the com-mittee are all lawyers, and, so far, have conducted ie investigation without any apparent partisan ves. Judge Scoffeld, the Chairman, first exmines a witness, then the democratic members in-progate him, the other members following.

examined was J. Henri Burch, a colored man, and a ember of the State Legislature from the parish of Saton Rouge. He is a partisan of the Carter faction, and his testimony—occupying five hours—was detailed account of the proceedings of the Carter faction of the Legislature from the time that pody He gave his evidence in a clear and frank manner ing apparent honesty of purpose and a thorlarter men and the democracy look upon Burch as man of ability, having the confidence of his class, and by the death of Lieutenant Governor Dung having become their recognized leader.

n the other hand, charge Burch with being a eming tellow from New York, who is sore with them for not lending him their support in a desire be had two years ago of going to Congress, and that

ade by Governor Warmoth and others of the wites to be examined, enables your correspondent

THE WHOLK CARR sary to go back a little way. In 1868, under reconstruction laws of Congress, a conpublican. The leaders of the republican party in the State at that time were Governor Warthe late Lieutenant Governor Dunn, Mr. ders, the present Mayor of New Orleans, the nas J. Durant and ex-Governor Michael Hahn se Dunn is dead; Durant, when beaten for Washington, and Hahn has withdrawn from

men in power led the republicans into the adop-en of a constitution giving to the Governor of the oppressive features of this constitution, as carried out by Governor Warmoth, form the cause of present trouble. With the ratification the new constitution Warmoth was e Governor, Dunn Lieutenant Governor, and landers Mayor of New Orleans. Everything went n It was that Dunn began to suspect the sincerity Warmoth's republicanism. He found Warmoth en the champions of President Johnson and litating with the old hunker democrat and recei of the State. He immediately declared war and began the organization of an opposition. Looking around for support he found United States Marshal Packard, the Chairman of the Republican

willingly joined Governor Dann. In addition to his own office he had the Collector of the Port, Mr. Casey, completely in his control. No one charges Casey with dishonesty; but, from his own evidence in this investigation and that of the other witnesses, he is a weak man, and, in the power of abler men, has been made to do acts in his official position which prove him wholy unfit for the place he holds. Casey, it appears, was not without ambition. He had been Warmoth's friend until Warmoth sent General West to the United States Senate. West's selection to the Senate was the hair that broke the camel's back in this political quarrel. Dunn, Packard and Caser immediately proceeded to Washington and attempted to drag the President into the fight. That he has had nothing to do with the quarrel is also plainly proven by the evidence so far taken. Colonel Carter and Collector Casey in their evidence swear that of the seven members of the State Legislature won bold places in the Custom House three have and do now act with Warmoth. In addition General Longstrect, who is Governor Warmoth's Adjutant General, and who commanded his militial and metropolitan police in the Peerla, moist he federal office of Surveyor of the Port, and Mr. Beckwith, the United States District Attorney here, and the United States Appraiser, are warmoth's most ardent supporters. So from the evidence it is seen that there are had been Warmoth's friend until Warmoth

warmoun's most areent supporters. So from the evidence it is seen that there are

FEDERAL OFFICIALS WITH BOTH FACTIONS.

The first open breach between Warmoun and the opposition, led by Dunn, Packard and Casey, occurred in August last, at the Republican State Convention. In this Convention, called by Marshai Packard as chairman of the Republican State Committee, the attempt was made to rule Warmoun out of the party. It was held in the Custom House here, and by the presence of a company of

UNITED STATES TROOPS

the Warmoth men were ruled out. Captain Smith, of the army, who commanded the troops on the occasion, gave his evidence to-day. He stated the fact that he was ordered by General Repnoids to station his troops in the Custom House, and, in case of necessity, protect the public property therein from pilinge or destruction. General Reynoids, it appears, gave this order on the application of Marshal Packard. The cross-examination showed that by the presence of the troops Governor Warmoth's party were unable to force their way into the Convention; for, had they attempted to do so, Captain Smith would have undoubtedly considered them as Zullity of trespass.

The result was the bolding of two conventions and the selection of two Republican State Central Committees, Matters now went along quiety until a couple of months ago, when Lieutenant Governor Dunn died. This was

mittees. Matters now went along quietly until a couple of months ago, when Lieutenant Governor Dunn died. This was "THE CRISIS.

Marshal Packard and Collector Casey immediately conceived an idea, the successful carrying out of which would place them in possession of the State government. Casey had on his payroll in the Custom Hoase one Colonel George W. Carter, who was also Speaker of the lower House of the Legislature. As by Jorce of circumstances, rather than choice, Carter has been made.

THE LEADER OF ONE FACTION,
a brief description of him will not be out of place. He is a slouchy-looking man, about forty years old, and born in Virginia, where he prached the Gospel in early manhood. He afterwards moved to Texas, where he practiced law until the breaking out of the rebellion, when he entered the rebel service as colonel of a Texas regiment, and about four years ago settled at this point. He was elected to the Legislature as a republican from one of the river parishes, and until recently was the warm friend of Governor Warmoth. He is a man of education and ability, but lacks the cultivation and dash of His offoness. When the pointed movement of the State. He was the here in 1866, and ever since has been identified with the pointed movements of the State. He was the first Governor chosen after the reconstruction of the State, his term expiring with the present year.

Now Carter was just the man for the emergency. By the constitution in case of the death or removal of the Governor, the Lieutenant Governor. The bold movement of the House becomes Governor. The bold movement of the Gate of insideal here in State and in case of insideal here of the House becomes Governor. The bold movement of the State and in case of insideal here.

movement of THE IMPEACHMENT OF THE GOVERNOR Was fixed upon. The Legislature

made to the democratic members to join them. A cauons of the democratic members was held accordingly to decide upon what course they should pursue, and by a large majority it was agreed that the democratic stat their fortunes with the Carter party. This gave Carter the House by about five or six majority. Colonel Moncure, a democratic member of the House, m his testimony to-day, said that when the democratic members were in caucus they received a proposition from Governor Warmoth that they should unite with his party against Carter, and to that end he (Mr. Moncure) should be given the Speakership. The proposition was rejected. He further testified that the democrats faned to act as a unit, however, as six out of their whole number—which is about twenty-eight—voted with the Warmoth party throughout the concest. The Senate has a warmoth majority of only one vote. There being no Lieutenat Governor, the Senate would be kept without a quorum, so as not to be able to organize until after the House had passed articles of indictment against the Governor. This would carry suspension from office with it, and by law Mr. Carter, as Speaker of the House, would become Governor. The whole thing was so plausible and so near their grasp. All this Mr. Carter and Mr. Moncure, a democratic member of the Legislature, admit in their testimony before the committee.

Governor Warmoth, being made aware of the designs of his opponents, executed

A COMPLETE FLAR MOVEMENT,
In accomplishing which he paid not the slightest regard to the laws. He called an extra session of the Senate, and forced that body into the election of a Lieutenant Governor, and his friend, Mr. Pinchback, a bright mulatio, was chosen. But the Casterites vowed that Pinchback's election was illegal, and that they would not recognize him, and would proceed with their plan of impeachment. On the Isso of January the House assembled according to law, but in the senate there was no quorum until the Louse could impeach and suspend Warmoth and Speaker Carter sonutors were allo

THE COMBAT THICKENS.

Finding it impossible to get at the Senators, Governor Warmoth boldly went to work to oust Colonel Carter from the position of Speaker of the House. The first two days of the session showed a smail Carter majority in the House; but Warmoth was fast picking up recruits, and the Carterites, to increase their majority, unseated seven Warmoth men and put seven Carter men in their places. Marshal Packard also came to the rescue by causing the arrest and detention of several of the Warmoth members, under the Enforcement act. This was for the purpose of making Carter's majority beyond a doubt. This was on the third day of the Session, and led to a most extraordinary scene. THE COMBAT THICKENS.

doubt. This was on the third day of the session, and led to a most extraordinary scene.

COLONEL CASTER, IN HIS EVIDENOR, gives a most vivid description of it. It seems that in the middle of the session on that day a member of the Legislature in the interest of Warmoth, during a roll call, suddenly lumped to his feet and moved the election of a new Speaker, and without waiting put the motion himself and declared it carried. This was followed by a rush towards the Speaker's chair; but the member declared elected refused to serve, and before some one else was selected the session was adjourned. Colonel Carter and Mr. Burch testify before the committee that had the proposed Speaker attempted to take the chair that day he would have been kitted, because not only were all

only were all the state of the House armed, but also there were present a dozen or more sergeanst-atarms, whom the Speaker had employed. In addition the lobbies and corridors of the hall were crowded with metropolitan police in citizens' uniform, armed, ready to sad the Warmoth faction. The following day, Warmoth, finding no one who would dure displace Carter while he was in the chair, executed

would dare displace Carter while he was in the chair, executed

After the House had adjourned over till the following day he issued a proclamation convening them in extra session at four o'clock that afternoon. This proclamation, however, from the evidence given before the committee, it would seem, was only read to those members in sympathy with Warmoth. They met in extra session, elected Mr. Brewster, a Warmoth man, Speaker, and then adjourned, the Carter men knowing nothing of the extra session until it was over. The following day when Speaker Carter arrived at the hall he found it

BLOCKADED WITH ARMED POLICEMEN, who refused him admission. Then it was that he, with those members of the House siding with him, began holding sessions in another hall and claimed to be the regular House. Hence until the morning of Monday, January 22, the Warmoth men met as the regular Legislature in the Capitol building and the Carter men in a separate building. It was on January 22 that

the Carter men in a separate building. It was on January 22 that

CANTER COLLECTED A MOR

which he proposed to lead to the Capitol build ing for the purpose of taking possession, but the interference of General Emory with United States troops prevented. Carter claims in his evidence to have had at least two thousand armed men under his command, and that

HIS INTENTION

was not to have fired a shot, but to have beseiged the building and nave starved those defending into submission. Colonel Badger, the Chief of the Metropolitan Police, testified to-day that the Capitol building was defended by 550 policemen, armed with Winchester rifles, and about three hundred minitiamen with one piece of cannon, all under the immediate command of General Longstreet. He further testified that from January 5, the day Carter organized his separate House, until January 22, the city was the scene of much

organized his separate House, until January 22, the city was the scene of much VIOLENCE AND DISORDER.

During all that time the Governor kept the Capitol building strongly defended, while men in the interest of Colonel Carter paraded the streets, breaking into armories and stealing arms therefrom and gathering in crowds armed for action, competting citizens daily to close their stores for fear of pillage.

GENERAL EMORY'S TESTHMONY.

citizens daily to close their stores for fear of philage.

General Emory, companding this department, also testified to day that he was compelled to march the 300 men under his command into the city on four different occasions, and, in his opinion, had it not been for the presence of his troops, there would have been a bloody massacre. He acted on his own responsibility in the matter and had no preference for either party, but was determined to preserve order if possible.

The final determination of General Emory, on the 22d, to interiers should Carter proceed against the Capitol, and the announcement that

THE CONGRESS COMMITTEE OF INVESTIGATION was about to leave Washington for this city, ended the contest. Carter told his followers to return to the Legislature and he would abide investigation. Thus the matter stands.

The democracy are by no means united in the quarrel. It would seem that the young and progressive democrats are with Colonel Carter, while the old hunker democrats, who figured with Shdell before the war, are in full sympathy with Governor Warmoth. The Carterites charge that

"WARMOTH'S PROGRAMME is to elect himself Governor next fall. Then, on the meeting of the Legislature, he will be chosen United States Senator, in place of Senator Kellogg, and Dick Taylor will become Governor. Warmoth's Friends say that after the present investigation is completed he will announce himself for the re-election of the best of the present investigation is completed he will announce himself for the re-election of the best of the present investigation is completed by the colone of the present investigation is completed by the colone of the law of the legislature of the law of t

completed he will announce himself for the re-election of Grant.

THE ELECTION LAW

appears to be the most obnoxious complained of by the reformers. It is in evidence before the committee that under this law in each parish there is a registrar of election, who is appointed by the Governor. This registrar appoints two commissioners, who receive the bailots. The registrar counts them and makes a return to a board known as the Board of Election Returns, consisting of the Governor, the Secretary of State, another man appointed by the Governor, and two members of the State Senate, all, however, under the courtrol of the Governor. Several witnesses examined say the custom is for Warmoth to send his partisans into different parishes as registrars, who return themselves as elected, and take their scals in the Legislature witnout ever having received a vote or having lived in the parish they claim to represent. By this election law the Governor has supreme power to say who shall compose the Legislature and who not.

who not.

EXPENSES OF WARMOTH'S RULE.

A witness testified to-day that the last session of the Legislature—lasting only sixty days—cost the State just \$1,000,000; that \$1,500,000 is spent yearly in substitizing newspapers, and that the Governor, when the Funding bill was passed, bought in the bonds himself at ten per cent lower than what was offered for them by outside persons. In fact, the stories of corruption among officials here would fill a volume. It appears there is no law for bribery on the Statute Book.

#### THE CONGRESSIONAL COMMITTEE BADGER-ING CAMPBELL AND PACKARD.

Campbell Swears the Armories Were Broken Into and Arms Stolen to Fight Warmoth-The United States Marshal Tells a Different Story-Government Troops Only Brought Out for Show-No Heatile Intention-Nine Reasons for Impeaching the Governor.

NEW ORLEANS, Feb. 1, 1872. The Congressional Investigating Committee completed the fourth day of their session to-day. Only two witnesses were examined. The first, Mr. Hugh J. Campbell, is a member of the State Senate, Auditor of the Land Office and Major General of militia. He is an active partisan on the Warmoth side, and commanded the militia under General Longstreet incing the recent troubles. His evidence was principally concerning the part he took in the troubles and his reasons for so doing. He swore positively that before the militia were ordered out at least two of the State armories had been broken open, and fifty or more stand of arms stolen by the mob. This was the opposition to secure their demands by force of arms. He was very severe on Collector Casey and United States Marshal Packard, giving it as his opinion that had it not been for their interference

would have been no division in the republican party of the State. He didn't believe, however, that the President nad anything directly to do with the ac-tions of Collector Casey and Marshal Packard, for city are active Warmoth men.
EXAMINATION OF MARSHAL PACKARD

The second witness was United States Marshal Packard, who is counted the brains of the anti-Warmoth faction. He was put through a most searching examination of nearly five hours, and is to be brought up again to-morrow. It was during the examination of this witness that the first evi-dence of partisan bias was shown by members of the committee. Previously each member seemed anxious to bring out everything, no matter what should be the consequence; but to-day Mr. Speer, one of the democratic members of the committee, should be the consequence; but to-day Mr. Speer, one of the democratic members of the committee, with the evident purpose of making political capital against the President, kept the witness under a most trying and annoying 'ross-examination concerning the holding of the Republican State Convention in the Custom House last summer, and the use of United States troops to protect the same. Mr. Packard's excuse for allowing the Convention to be held in the Custom House building, was that he could not obtain a vacant hall in the city for the purpose, the Warmoto party having rented them all in their own interest, so as to compel Packard and his followers to either hold no convention at all or else meet in the Capitol Building, which would have virtually surrendered the control of the Convention to the Warmoti men were refused admission to the room in which the Convention was held: the troops present were not on guard, but stationed in one of the adjacent streets, with stacked arms, ready to be called on in case Warmoth, with his 560 armed policemen, attempted to force themselves into the Convention, thereby endangering public property, from the thieves who would take advantage of such an occasion to rob and pillage.

A SHIERD ANSWER.

In reply to a question asking him if he thought it fair and just to put the government to the enormous expense of furnishing troops for political purposes, he shrewdly answered that he would willingly pay the expense himself, which was exactly \$5, the amount of fare paid in transporting the troops in the street cars from their barracks to the Custom House. They were on duty only four hours, and were not compelled even to bring rations with them.

NINE GOOD REASONS FOR THE FIGHT.

Among the reasons he gave for the fight of his wing of the republican party against the Governor were the following:—

Were the 1010 wing:—

First—Failure of the Governor to appoint officers of registration at the time prescribed by law, and when appointed a majority were sent into the different parishes. from this city, thus being millier residents of or personally known in the parishes they were sent to represent, and, in many oases, these registrars returned themselves as elected to the Legislane registrars returned themselves as elected to the

the Legislature, fearing that such elections would abody out of his control.

jointh—Uning the patronage of the State in such a manner is make it an engine of oppression against the party said body out of his control.

Eighth—Using the paironage of the State in such a manner at to make it an engine of oppression against the party which placed him in power.

Ninth and List.—Violating the constitution of the State in convening an extra session of the State Sense on December 6, 1871, and of the General Assembly on January 4, 1872.

All these, Mr. Packard thinks, form good grounds for successful impeachment. Another important point elicited by Mr. Packard's testimony was the fact that the orders to General Emory from the President on January 22, the day Speaker Carter assembled his mob to march on the Capitol building to depose Warmoth's Legislature, was not to interfere, but to hold himself in readiness to prevent the destruction of public property. General Emory misconstrued the order, and instead of merely making such a disposition of his troops as to protect government property in case of a riot, he informed Carter and his friends that should they attempt to march against the Capitol building he would interfere with his troops to prevent a collision with the Warmoth forces. This put an end to all attempts on the part of Carter to beat Warmoth by force of arms.

Mr. Packard's examination will be continued and finished to-morrow.

End of the Long Trial Before the Superior BRIDGEPORT, Conn., Feb. 6, 1872.

For seven long weeks this case has been before the Superior Court. Nothing like it as to length ever before occurred here. The celebrated Winslow will case, some six years ago, occupied five promised. This case however, has been one of of the Ocean and North Aver banks severally ago, made a will. He was quite wealthy, as be seen by the figures. To his wife he queathed \$5,000 a year cash, besides giving ner use of the magnificent homestead during natural life, and making her sole owner of its contents. The balance of the estate went to the property of the case of the state went to the case of the set of the state went to the case of the state went to the case of the set of the se use of the imagnificent homestead during her natural lile, and making her sole owner of all its contents. The calance of the estate went to a son and certain other heirs. At the time of his death, in 1871, Mr. Weed was over eighty years of age. The income of the estate at the time was not far from \$25,000, and Mrs. Weed disdained to be put off with so paitry a sum as \$5,000, when, as his lawful wife, she was justly entitled to more. Had he been in his right mind at the time of making the will, and had no undue influence been brought to bear, she might have received it at the first. For reasons as stated, therefore, she brought suit, and the effort at breaking the will, though very expensive, has turned out to be successful. James Olimstead, of Stamford, conn., and M. I. Doolittle, of New Haven, for appellants; and C. G. Childs, of Stamford, and S. H. Beardsley, of Bridgeport, for appellees. Able and eloquent arguments were delivered by each of these gentlemen at the close of the investigation. The case was given to the jury late on Saturday afternoon last, and was adjourned over to Monday, February 5. It took the jury from Monday morning until yesterday at nall-past twelve to arrive at their verdict, winch was as follows:—

Mr. Nathaniel Weed was not, at the time of the execution who had and discosing mind and

by him of said with, of sound and disposing mind and memory.

The verdict was received in breathiess silence by the large crowd which had assembled to hear it, immediately after the rendering, counses for the will gave notice of a motion for a new trial, on the ground of a verdict against evidence. If the Court certifies to this motion the case goes to the Supreme Court of Errors, where it will be heard if papers are ready. If they are not ready then it goes over to October. The Court of Errors sumply decides as to wnether or not a new trial shall be granted. Meanwhile, the matter stands as if Mr. Weed had never made a will at am.

If the present verdict is sustained Mrs. Weed comes into possession of one-third of all the personal estate and a life use of one-third of the real estate, worth at least two hundred thousand dollars in the aggregate. This is the first time for many years that a will has been broken in a Connecticut court. The trial has been broken in a Connecticut court. The trial has been watched with intense interest from the beginning.

## THE WILL OF THE LATE WILLIAM KELLY.

POUGHKEEPSIE. Feb. 6, 1872, The will of the late William Kelly, of Rhinebeck, has been offered for probate at Surrogate Fowler's office, in this city. The estate will amount to about five hundred thousand dollars, and, with the exfive hundred thousand dollars, and, with the exception of some special legacies to friends and former domestics, goes to his wife and sister and to the children of his brother, the late Robert Keily. The executors named are his wife, sister and nephew, together with his confidential friend and autorney, Mr. R. A. Wright, of New York. The beautiful estate of Eliersiae will not be sold, but will remain the residence of the family, Mr. Keily having wisely given all the furniture, stock and other personnal property upon the place to his wife and sister. Mr. Keily was through life, with a liberal hand, his own executor as to his gifts, and the will contains no charitable bequests, except one conveying the title to certain lots already in the posses-ion of the Baptish church at Rhinebock to that institution.

## HEAVY ROBBERY IN NEWARK.

Horace Meckridge, Mark Corbett and "Crow" Keiley, charged with stealing from the New Jersey Zinc Works at Newark a large quantity of zinc, have been committed in default of \$1,000 ball each. At the examination before Justice Milis in Newark James H. Morrow, of the Jersey City police, testined that he had arrested Mockridge with a load of Zinc in his possession, and he recognized Keiley as the man whom he saw with him on that morning, at Marion, but who escaped from arrest. Officer Carson corroporated Officer Morrow's statement, with the exception that he recognized Corbit as the man who was with Mockridge at Marion. Mr. Parin, the treasurer of the New Jersey Zinc Company, testiesd that there had been stolen from their establishment since last May 39,478 pounds of zinc, valued at eleven cents per pound. Mr. Farlin's testimonly was corroborated by Thomas Jones, the weighmaster of the company. The zinc found in the possession of Mockridge was recognized by them as the property of the company. Keiler, charged with stealing from the New Jersey

## THE COURTS.

The Jumel Estate Trial-The Union Pacific Railroad-Effort to Revive One of Fisk's Cases-A Grand Jury for the General Semions.

DECISIONS IN THE COURT OF APPEALS

UNITED STATES SUPREME COURT. "Nice" Question for Consiguees of Merchandise by Water-Suit on a Bill of Lad-ing, as Transferring the Goods Named Therein to the Holder. Washington, D. C., Feb. 6, 1872.

No. 94. The Steamship Thames and Russell Sturgis et al. vs. Bill of Seaman—Appeal from the Cir-This libel was flied against the steamship Thames in March, 1868, claiming damages for the non-Savannah by the, Thames, the buil of lading for which had been assigned to the libellant, Seaman. The answer averred that the cotton mentioned was shipped by G. S. Van Pelt for and to be delivered to Bennett, Van Pelt & Co., of New York, and was so delivered, and without notice of the claim of hochant, and that no claim was ever made by him until long after the delivery; that the assignment of the buil of lading to him was by way of security for personal obligations of Bennett, Van Pelt & Co., who were solvent merchants, and to whom he looked for payment: and that he gave no notice, and did not act as assignee of the buil of lading on the arrival of the vessel or upon the delivery of the cotton, nor until after that firm had become insolvent; and by his delay and laches he waived and lost all claim arainst the vessel and her owners. Upon the hearing the District Court held that the delivery of the bills of lading for the cotton was intended to and did transfer the cotton to the libellant as security for the payment of the draft drawn upon the consignees by the consignor for the value of the cargo, and the decree was for the libellant. This decree was affirmed at the Circuit and appeal was taken to this Court, where it is insisted that the bills of lading were transferred as security for the acceptance only, and not for the payment of the draft, to Brady & Moses, bankers, in Savannah, who were correspondents of the Atlanta Bank ine owner of it. They then sent the fourth National Bank of Georgia, and had funds of that bank for the purchase of exchange on New Yors, and who purchased the draft, thus making the Atlanta Bank, the owner of it. They then sent the fourth National Bank of New York, for account of the Atlanta Bank, and it is submitted that Seaman could acquire no greater interest than that which Brady and aoses acquired by the transfer to them. But even if the transfer to the libeliant was mitched to secure the payment of the draft, he was not entitled to hold the vessel and owners for the non-delivery of Savannah by the, Thames, the bill of lading for which had been assigned to the libellant, Seaman.

Important Decisions.

ALBANY, Feb. 6, 1872. In the Court of Appeals on Tuesday, February 6,

ALBANY, Feb. 6, 1872

In the Court of Appeals on Tuesday, February 6, the following decisions were given:—

Judgment affirmed, with costs.—West vs. Crary, Hamilton vs. Clinton, Conroy vs. Gaie, Poillon vs. Mayor of the City of New York.

Judgment reversed and new trial granted, costs to abuse event.—Madden vs. New York Central and Hudson River Railroad Company, Greenfield vs. Massachusetts Mutual Life Insurance Company, Dickenson vs. Wason.

Judgment of the Supreme Court and orders of the County Judge reversed and application dismissed without costs—People ex rel. Malace vs. Knowles; People ex rel. Allen vs. The Same.

Appeal dismissed with costs—People ex rel. Mitchell vs. Lawrence.

Judgment reversed so far as it charges Mary Ann Quinn, personally, with costs, and affirmed as to the residue, with costs in this Court and the Court below, chargeable upon the property in controversy—Erickson vs. Quinn.

Judgment of Supreme Court reversed and order of County Judge affirmed, with costs—People ex rel. Bottsford vs. Darling.

Orders of General Term and Special Term reversed, and motion to strike out part of answer denied, with costs—Fettretch vs. McKay, Matthews vs. Hubbard.

Order granting new trial reversed, and ludgment

Order granting new trial reversed, and iudgment on report of referee affirmed, with costs—Ingraham vs. Disbrough.

Motion for reargument of the appeal or resettlement of the judgment of this Court denied, but without prejudice to the right of the defendant to apply to the Supreme Court for directions in the execution of the judgment and to adjust the rights and equities of the parties under and not inconsistent with the judgment in respect to taxes charged upon the premises, since the contract of purchase and which should be paid by the plaintiff, and also in respect to the interest upon the \$1,500 mortgage which has accrued since the time for the completion of the contract of purchase, and which was assumed by the plaintiff as a part of the purchase money—Motion to revive and continue the action in the name of the heir-at-law and administrator of Dennis J. O'Donovan denied—Duny vs. O'Donovan.

Judgment of the Supreme Court reversed, and judgment ordered declaring the disposition of the p. operty by the third clause of the will, so far as the same affect the personality, vold, and directing that after the payment of the debus of the testator and the legacies and other lawful charges upon the

the same after the personanty, vota, and directing that after the payment of the debts of the testator and the legacies and other lawful charges upon the estate, except the legacies to Georgiana Ovatina and Catharine Griffing, the personal estate be divided equally between William B. Jones, Georgiana Ovatina and Catharine Griffing, the distributions entitled under the statute of distribution; the costs of the several parties to be adjusted by the Supreme Court and paid to the executors from the fund before making distribution, the pleading to be remitted to the Supreme Court for such further action as may be necessary to give effect to the judgment of this Court—Kaox vs. Jones.

Court of Appeals Catlendar.

Court of Appeals Callendar. ALSANY, Feb. 6, 1872.

Day calendar of the Court of Appeals for February 7-Nos. 63, 58, 95, 112, 24, 80, 91, 113.

UNITED STATES CIRCUIT COUST.

The Estate of Madame Jumel. Before Judge Shipman.

The further hearing of the case of George Washington Bowen vs. Nelson Chase was resumed yesterday. A considerable portion of the day was taken up

with the continued cross-examination of Mrs. Van-dervort, which had not been closed at the adjournment of the Court on the preceding day. Among other things stated by this witness, she said that sne had seen her son, James A. Vandervort, on the and seen her son, James A. Vandervort, on the
day before in her own house: but the daughter of
the witness, who resides with her, contradicted her
on this point, stating that she had not seen her
brother at the house for a considerable time past.
Mrs. Vandervort was recalled for the purpose of
explaining how she came to make the statement in
question. She replied that her son was sometimes
confined to the house, owing to an affection of his
head, and that this might or might not account for
the fact whether she had or had not seen him.
Counsel for the plaintid then read an entry from
the Town Council book of Providence, R. L., under
date of September, 1766, to the effect that one
Phebe Kelly had been rejected from that town on
the ground that she had no location or settlement
there. On another page of another of the Town
Council books there was a record of the 24th of
July, 1782, that Phebe Bowen and her daughter
Betsy resided in the Old Jail House, with one Margaret Parchild, when that house was pulled down.
There was another record, under date of January 1,
1787, that Join Bowen, a foreigner, married
Phebe Kelly, and that they had three
calidren—John, about seventeen years Old;
Polly, fourteen, and Betsy, twelve. On May
11, 1790, Nathan Clarke married Phebe Bowen,
widow of John Bowen, mariner, deceased. They
were removed to Boston, according to the law in
force at the time, that being the place where Clarke
had a settlement by law and property. They were
kept in jail at the expense of the town until their
removal to Boston. As appears by an entry in the
town council ordered the Town Sergeant to notify
them, or either of them, to leave the town, and if
they did not do so within three hours after receiving
such notice he was to arrest them, or either of them,
and keep them, or either of them, in custody until
they paid a fine, and if they did not pay the fine
corporal punishment was to be inflicted upon them.

The reading of this municipal ordinance, which
smacks os strongly of the New England Bine
Laws," cau day before in her own house: but the daughter of the witness, who resides with her, contradicted her

Providence at the time or times set out in the pieadings.

Counsel for plainting also read from the town records of Cumberland an entry of the date of the marriage of keuben Esliou, son of Ezekiel Ballou, to Cloe Comstock; and also the entries respecting the births and deaths of two of Reuben Ballou's children.

ing the births and deaths of two of Reducen Ballou's children.

The next witness was Mrs. Cook, of Westfield, Mass. She testified that her mother was a daughter of Major Ballou, of Providence; Major Ballou had several children by his first wife and two by a second wife; witness heard her mother speak of where she had lived; after mentioning the names of the canidren of Major Ballou's first marriage and stating that he had two children by his second marriage the witness, without being asked the question, added, "and one child by Betsey Bowen?"

Q. From whom did you learn he had one child by Betsey Bowen? A. My mother.

This onestion was objected to by Mr. O'Conor, and

white he was making the objection the witness answered as above.

Q. Did you hear from any person who was a blood descendant of Reuven Ballou anything in regard to his having any other children than those you have indicated? (Objected to.) A. Yes, sir.

Q. From whom did you hear that declaration?

A. From my mother.

Q. From my mother.

Q. From my mother witness rapidly answered, "Yes" before Mr. O'Conor could interpose an objection, which he did, that the question was leading.

Counsel for plaintiff said he offered to prove by the declarations of the mother of the witness, made to the witness—by the declarations of a person who had resided in the family of Major Bailou, and was related to mim by blood, that Major Bailou, and was the father of the plaintiff, George W. Bowen, by the body of Mrs. Jumel.

Mr. O'Conor suggested thas it would be better for counsel to put his question and let the Court rule upon it.

counsel to put his question and let the Court rule upon it.

Q. Did your mother declare to you, and was it reputed among the blood relatives of your family, that the plaintiff, George Washington Bowen, was a child of Major Reuben Ballou by the body of Madame Jume!?

Mr. O'Conor objected to the question as leading and incompetent.

At this stays of the case the Jungs without pass.

and incompetent.

At this stage of the case the Judge, without passing upon the question, said he would adjourn the Court, as he had been asked by one of the jurors to let him go at three o'clock to attend to some important business, and it was now considerably after that hour.

Mr. CHAFFIELD, of counsel for plaintiff, said he wished to make a remark, and that was that no berson should speak to the jury on the subject of this trial.

wished to make a remark, and that was that no person should speak to the jury on the subject of this trial.

The JUDGR—Gentlemen of the jury, be cautious about forming opinions on the grave question that is now before you—the maternity or paternity of the plaintiff. Be careful not to prejudge that question until the whole evidence is before you. As yet you have only heard evidence for the plaintiff: the evidence for the defendant has yet to be given. Therefore, I say, gentlemen, do not talk to any one about the case, and suffer no one to talk to you in regard to it. His Honor suggested that, owing to the length of time the case had already occupied, it might become necessary for him to protract the session of the Court to a later nour in the evening than at present. He complained that the atmosphere of the court room was very bad.

room was very bad.

The Court then adjourned to eleven o'clock this

Lawsuits of the Late James Fisk, Jr. Before Judge Blatchford. The case of James Fisk, Jr., vs. The Union Pacific Railroad Company and others came up yesterday in the United States Circuit Court, before Judge Blatchford. The plaintiff to the suit was the late James Fisk, Jr., and it now occupied the attention

Blatchford. The plaintiff to the suit was the late James Fisk, 1r., and it now occupied the attention of the Court on a motion made on the part of Mrs. Lucy Fisk, widow of James Fisk, Jr., to have the cause revived. The question as to whether the cause should be revived on motion or by bill of revivor was argued by counsel on both sides. It was objected by counsel for the detendants that Mrs. Fisk had filed no petition for a revivor of the action, and the motion, in its present form, was not entertained. Judge Blatchford stated that it would only be necessary on the part of Mrs. Fisk to file a petition in proper form requesting to succeed her late husband as plaintiff in the case, in order that her name may be substituted for his in that capacity. Mr. David Dudley Field, counsel for Mrs. Fisk: Mr. James Emott and Mr. S. P. Nash, of counsel, and Hammond and Pomeroy, solicitors, for the Union Pacific Railway.

The case of Charles W. Pollard and others vs. The Union Pacific Railroad Company and others was next brought on for argument. Demurrers had been interposed by all the delendants except the Union Pacific Railroad Company to the bill of complaint. On the part of the defendants who have demurred it is alleged that the bill of complaint comprises two or more causes of action, while for the plaintiffs it is maintained that the causes of action are cognate, and may, therefore, be tried together. The demurrers only were argued. These are the two cases that produced so much excitement some time ago, and in the prosecution of which, it was alleged, the safe of the Union Pacific Railroad Company had been broken open. The cases were originally commenced in the State Court, but under a decision of Mr. Justice Nelson they were removed to the Union they were removed to the Unio

his decision.

Counsel for the complainant, Mr. David Dudley Field; Mr. James Emott and Mr. S. P. Nash, of counsel, and Hammond & Pomeroy solicitors for the defendants; A. B. Crane, of counsel for the defendant John J. Blatr.

#### UNITED STATES DISTRICT COURT.

Civil Jury Calendar. Yesterday Judge Blatchford called the calendar of civil jury cases, comprising, for the most part. Custom House suits. Cases were set down for trial. The Admiralty calendar will not be again taken up till next month.

> COURT OF OYER AND TERMINER Grand Jury of the General Sessions.

Before Judge Cardozo.

This Court met yesterday. The only business ransacted was drawing a panel for a Grand Jury for the Court of General Sessions. The Court then adjourned till this merning.

SUPREME COURT-CHAMBERS.

Decisions. Stephens vs. Greggory.—Motion granted and ref-

Stepnens vs. Greggory.—action granted and ref-erence ordered.

Springsteed vs. Ring.—Motion granted.

The Maryland Coal Company vs. Edwards.—Same, Wiley et al. vs. Carew.—Same.

National Broadway Bank vs. Camp.—Motion de-

Riersted et al. vs. Orange and Alexandria Railroad Company.—Motion granted.
Ormsbee vs. Brown.—Motion denied.
Burk vs. Burk.—Same.
Martine.—Motion granted.
Kein vs. Weston et al.—Approved.
Chalwell vs. Nichols et al.—Motion denied.
By Judge Barrett.
Schaffer vs. Schaffer et al.—Motion for receiver denied, with \$10 costs.
Protheroe vs. Stiviatt et al.—Memorandum for counsel.
Roberts et al. vs. The Coastwise Steamship Company et al.—Motion granted upon payment of \$30 trial fee and \$10 costs of this motion.
Samuel T. Appieton vs. Amelia Appleton.—Motion for stay upon appeal from orders denied. Motion for judgment upon referee's report granted.

SUPERIOR COURT-SPECIAL TERM. Decisions.

Fuller vs. Stern.—Motion granted. Vettenheimer vs. Vettenheimer.—Same. Drake vs. Holahan.—Same. Rordgrwood vs. Sears.—Motion denied.

COURT OF GENERAL SESSIONS. Before Judge Beaford.

After the Court was opened yesterday the City Judge directed the Clerk to discharge the Grand and Petit Jurors summoned to serve during the February term from further attendance, and ordered an additional panel of 100 jurors to be returnable next Saturday, to which time the Court adjourned. This new panel is for the continued November term.

COURT CALENDARS-THIS DAY.

CGURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Barnard.—Nos. 32, 56%, 74, 134, 178, 184, 185.

SUPREME COURT—URCUIT—PART 1—Held by Judge Van Brunt.—Nos. 937, 1041, 719½, 347, 348, 349, 1093, 1181, 1113, 141½, 89, 335, 337, 773, 821, 835, 839, 857, 963, 993,

SUPERIOR COURT—TRIAL TERM—PART 1—Held by Judge Freedman.—Nos. 1361, 1399, 655, 1429, 1433, 1435, 1451, 1453, 1453, 1451, 1459, 1461, 1463, 1469, 1471. Part 2—Held by Judge Sedgwick.—Nos. 1006, 470, 888, 960, 244, 1064, 1068, 760, 540, 260, 816, 1006, 1124, 1068, 1168.

COURT OF COMMON PLEAS—TRIAL TERM—PART 1—Held by Judge J. F. Daly.—Nos. 24, 847, 369, 1064½, 1065½, 1034, 467, 1138½, 1150, 345, 710, 1195, 1196, MARINE COURT—TRIAL TERM.—PART 1—Held by Judge Joacnimsen.—Nos. 7865, 7424, 7429, 7484, 7603, 6878, 7781, C. vs. K., 7831, 7904, 7905, 7906, 7907, 7908, 7909, PART 2—Held by Judge Spaulding.—Nos. 7638, K. vs. E., W. vs. S., 7817, 6352, 7646, 6567, 7391, 7663, 7699, 7920, 7921, 7922, 7922. Part 3—Held by Judge Tracy.—Nos. 8053, 8726, 7399, 8541, 8716, 8702, 8734, 8725, 8736, 8886, 8887, 8889, 8890, 8891, 8592.

## TOMBS POLICE COURT.

Knocked Down and Robbed of a Watch-A Thief of Time in Crosby Street. Monday night last Michael Milliken sauutered into a basement romshop in Baxter street for the purpose of getting a drink, and while there made the acquaintance of a countryman of his named John McCarthy. After a few minutes' conversation the two started out to go to a house in Oliver street. While to a house in Oliver street. While in New Worth street, between Baxter and Chatham, another burly individual came up behind Miliken, knocked him down and then robbed him of his watch. Instead of receiving assistance at the hands of his newly made acquaintance, McCarthy, that individual stood quietly by and saw him robbed and then ran off with the robber. Miliken yesterday had McCarthy arrested or a charge of complexty in the afair, and judge Dowling, having heard the case, locked him up to await the action of the Grand Jury.

Arthur McPherson, of 142 Elm street, was not quite as unfortunate as Milliken, inasmuch as he escaped any bodity mjury, but nevertheless he, like that individual, did lose his watch at the hands of two of the light-ingered fraternity. He went into a store in Orosby street on the night of the 5th instant, in company with James Duan, and William Smith, and while there he felt Duan Engering ground

### POLITICAL MOVEMENTS AND VIEWS.

Frank Biair on Grant and Cuba-A Fr and Easy Interview with the Missouri Sen-

cago Tribune.)

PRANE BLAIR ON GRANT.

The other day I sent a card to Frank Blair, who promptly came out of the Senate, for Frank is bold

as a lion, and never evades the newspaper chal-lenge. Frank invited a friend and myself back into the Marole Room and gave us a frank and free Blair conversation. He expressed the opinion that Grant was a "great man." Said he:—"He has an immense personality, the awill incarration of seif. He is running this government

one politician to another—and that mistake is shaking off the old abolitionists who have revolutionized the country, for the sake of certain Swiss, like Morton and Cameron, who never cared for the darkey more than Grani himself."

Said Frank, further:—"Grant always treats me well, and there are a few democrats he does not treat well. He reserves his frowns for the independent republicans who will not join in with his usurpations."

"No," he continued; "as a democrat I tell you, gentlemen, that Trumbull, Schurz and these other folks command our respect. They have a policy; the President has none but Grant."

BLAIR ON CUSA.

"I propose some day or other, gentlemen," said. Mr. Blair, "to make a speech on Cusa. My proposition is to buy the island. We can whip the Spanish to death if we want to go to war; but war is expensive, and it serves the purpose of keeping the party and the persons temporarily in power at the head of adairs; and when you come to sum up the cost of the war it will amount to more than a good purcause sum. Suppose we got into war with Spain—and probably Spain would fight over Cuba—we would whip her about as promptly as one country was ever used up by another, but, with our way of doing business under contracts, jobbers, go-betweens, &c., the sum would be greater than an outright purchase. Spain is spending more money on the Cuba problem than summer. Cuba is the mouth of the Mississippi Rivers Havana is the last American city of that great Valley, and on the road to Europe. Had we conducted a nation on material principles we should have been, forty years ago, in the possession of flavana and the island of Cuba. I propose to make a speech presenting these facts, opposing war with spain, and setting forth that our country is rich enough to bear the taxation or the debt which will buy the island and rid as of the Old World en the margin of our shores."

General Hancock and the Presidency-An In terview with the General.

from the St. Paul (Minn.) Dispatch, Jan. 31.]
A few days ago a morning paper in this city contained the following paragraph:
General Windeld S. Hancock, it is said, refuses to be counted as a democratic candidate for the tresidency. The General is not now and never was much of a possum, and is supposed not to be a very violent admirer of the passive policy. So long as this remained in the obscure sheet. Where it first appeared it was a matter of no consequence, but the reporter of the Associated Press in this city having forwarded it to the reputable papers of the country it became another matter.

A Dispatch representative accordingly called at General Hancock's headquarters this morning, and was promptly admitted to an audience with the General.

DISPATCH REPRESENTATIVE—I have called, General-

General.

DISPATCH REPRESENTATIVE—I have called, General to have a little political conversation with you, general Hancock—Well, what do you mean by a political conversation—something for publication?

tion?
REPORTER—Yes, sir. There is an item going the rounds of the papers that was sent to the Associated Press from this city which I wish to call your attention to. Here is the way it appears in the New York papers (producing one and reading):—

democratic candicate for President.

General Handock—Oh, yes; I saw that the day that I returned from the East. I do not desire to have anything to say upon the subject; but you can state that I never decine anything before it is offered to me, and, of course, I could not have declined the Presidency. I should, however, prefer to be considered not a candidate rather than to appear as seeking the odice.

I must decline to have any conversation other that what I have already said. If I open the door to interviewers there will be no end to them, and having granted one, others will claim that they should be similarly treated.

After some further conversation of a general

# THE HISTORICAL SOCIETY.

Recent Explorations in Ninevel in Connece tion with Jewish History.

A regular monthly meeting of the Historical Society was held last evening at the Society build-

ing, corner of Second avenue and Eleventh street.
The interesting feature of the evening was a cent Explorations in Nineven in Connection with Jewish History." A sketch was first given of the general geography and early history of the Mesopotamian region, and the successive establishments of the kingdoms of Babyton and Assyria, the predominance of the latter as the great empire of the East, and the gradual extension of its power over all the civilized world, until, in its turn, overcome by the Babyionians, assisted by the Medes and other tribes formerly tributary to the Assyrian and other tribes formerly tributary to the Assyrian power. The contrast between the former magnincence of Nineven, the "city of three days journey," and the once great capital of the Assyrian empire, and its present state, was then vividity described. The lecturer then took up the subject of recent explorations into these ancient abodes of man undertaken by Messrs. Botta, Rawiinson, Layard and others under the direction of the French government and the trustees of the British Museum. Under these expiorations and the subsequent decyphering of the inscriptions by the ingenuity of British and Frence philologists, the speaker stated that the crust of time is being removes from the hidden mysteries of this buried empire; the mounds that now rise in solitary grandeur over the Assyrian piain, like huge tombes of a buried nationality, are now being excavated by the hand of earnest science; the seal of a continuous silence extending through twenty-five centuries is broken; the dumb rums begin to shake off the dust of ages and to speak their secrets into the wondering ear of modern civilization and reveal the story of their hidden wonders and past giories. They give sad token of the feeting nature of human grandeur, and bear solemn testimony and corroboration of the truth of the inspired writings that are the foundations of the Christian faith. Reference was then made to the various objects of art and luxury discovered among the runns, as well as those depicted on the sculptures, showing that the Assyrians were a great and luxurious people; that most of the useful arts not only existed among them, but were cultivated to, the highest pitch, and that in metalluray, dress, lurniture, jewelry, architecture, &c., they were not be mounds at Ninroud, Kojunjik, Khorsabad and other places on the east bank of the Tigris, in the wiching the moderns. A detailed account was given of the successive excavations of the rinching the modern Mosul, and of the colossal human-headed winged bulls and sphinxes and also chronological and histor

connection of the Asyrians dutier their various kings.

The lecture closed with an account of the final destruction of Nineven by the Medes and Babylonians, and quotations from prephetical writing predicting its doom.

NEW JERSEY EXECUTIVE APPOINTMENTS.

The following nominations, sent by Gevernor Parker to the Senate of New Jersey, yesterday, Parker to the Senate of New Jersey, Jesterday, were confirmed:—Justice and the Supreme Court, Joseph D. Bedle, of Hudson, democrat; Judge of the Court of Errors, Amzi Dodd, of Essex, republican; Clerk of the Supreme Court, Benjamin F. Lee, of Camdem, democrat. Trustees of Normal School—Charles E. Elmer, Cumbertand; Rev. Dr. John McLean, Mercer: Benjamin Williamson, Union; Thomas Lawrence, Sussex; Bennington F. Randolph, Hudson; Thomas D. Armstrong, Burlington, Prosecutors of Pleas—Essex, S. N. Abeel; Middlesex, A. V. Schenck; Morriz, Frederick A. De Motig